

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

)

Plaintiff,

)

vs.

)

JOHN M. BOUCHAL,

)

Defendant.

)

8:05CR228

ORDER

This matter is before the court on defendant's unopposed MOTION FOR EXTENSION OF TIME TO OBTAIN DISCOVERY AND FILE PRETRIAL MOTIONS [9]. For good cause shown, I find that the motion should be granted. The defendant will be given the requested approximate 21-day extension. Pretrial Motions shall be filed by August 31, 2005.

IT IS ORDERED:

1. Defendant's MOTION FOR EXTENSION OF TIME TO OBTAIN DISCOVERY AND FILE PRETRIAL MOTIONS [9] is granted. Pretrial motions shall be filed on or before **August 31, 2005**. Defendant has previously filed a waiver of speedy trial; however, it was not legible. Defendant to file a legible waiver.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between August 10, 2005 and August 31, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED August 11, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge